

Docket No. CRD-0991

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: GREGG SUTTON ET AL.

Confirmation No. 1377

Serial No. : 10/083,868

Art Unit: 3761

Filed

: February 26, 2002

Examiner:

For

: VASCULAR FILTER SYSTEM FOR CARDIOPULMONARY BYPASS

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

> 11/13/03 ate of Deposit)

Carl J. Evens (Name of applicant, assignee, or Registered Representative)

111,31,03 (Date of Signature)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the aboveidentified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information M Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required. \Box In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with [] the first or ∏second After Final Submission, therefore: Statement in Accordance with §1.97(e) (attached); or Please charge Deposit Account No. 10-П / the fee of \$180.00 as set forth in §1.17(p). In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of: Statement in Accordance with §1.97(e)

(attached); or

		Please charge Deposit Account No. 10-
		0750/ / the fee of $$180.00$ as set forth
		in §1.17(p).
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		accordance with §1.97(d), this Information
		tement is being filed after the mailing date of
		Action under §1.113 or a Notice of Allowance
		but before the payment of the Issue Fee.
		ereby petition(s) for consideration of this
		sclosure Statement. Included are: Statement in
		h §1.97(e) as set forth below and the fee of
<u>\$180.00</u> a	ıs set	forth in §1.17(p).
\boxtimes	Copi	es of each of the references listed on the
attached	Form	PTO-1449 are enclosed herewith.
	_	es of references listed on the attached Form PTO-
1449 are	enclo	sed herewith EXCEPT THAT:
	<u>—</u>	To act on a 6 th a continuous materials at the continuous
		In view of the voluminous nature of references
		[list as appropriate], and the likelihood that
		these references are available to the Examiner, copies are not enclosed herewith.
	•	copies are not enclosed herewith.
	П	If any of the foregoing publications are not
		available to the Examiner, Applicant will
		endeavor to supply copies at the Examiner's
		request.
	Copi	es of only foreign patent documents and non-
ب		ure are enclosed in accordance with 37 CFR 1.98
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national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i). \boxtimes There are no listed references which are not in the English language. The relevance of those listed references which are not in the English language is as follows: \square Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D. Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/CRD-0991/CJE. This form is submitted in triplicate. Respectfully submitted, Carl J. Evens Reg. No. 33,874 Attorney for Applicants Johnson & Johnson One Johnson & Johnson Plaza

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-2518 DATED:



Initials

SUBMISSION UNDER MPEP 609 D

Application Number	10/083,868
Filing Date	February 26, 2002
First Named Inventor	Gregg Sutton
Group Art Unit	3761
Examiner Name	
Attorney Docket Number	CRD-0991

Page 1 of 1

		U.S. PA	TENT DOCUMENTS			
		Name of Patentee or Applicant of Cited Document	U.S. Patent Docum	nent	Barra Calumaa Liaas	
Examiner Initials	Cite No. ¹		Number	Kind Code ² (if known)	Pages, Columns, Lines, where relevant passages or relevant figures appear	
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FOREIGN PATENT DOCUMENTS Foreign Patent Document Name of Patentee or Examiner Cite Applicant of Cited Document

Pages, Columns, Lines, where relevant passages or relevant figures Number⁴ KindCode⁵ Office³ appear

No.1 OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), Cite No.¹ title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published T^2 Examiner Initials* European Search Report for corresponding Applicatio No. EP 03 25 1112, dated May 28, 2003

Examiner	Date	
Signature	Considered	